



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,529	07/25/2003	David B. Johnson		1112

7590 07/22/2005
David B. Johnson
576 N. St. Asaph St.
Alexandria, VA 22314

EXAMINER

LOWE, MICHAEL S

ART UNIT	PAPER NUMBER
----------	--------------

3652

DATE MAILED: 07/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/626,529

Applicant(s)

JOHNSON ET AL.

Examiner

M. Scott Lowe

Art Unit

3652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Drawings

In order to avoid abandonment, the drawing informalities noted in the paper mailed on 9/22/04, must now be corrected. Correction can only be effected in the manner set forth in the above noted paper.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 10,11,14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lake (US 4,726,263) in view of McCalla (US 6,419,371).

Re claim 1, Lake teaches an extender-arm 9 comprising:
a handle section 10, said handle section comprising an actuator 13,18, a proximal end, and a distal end and an open-and-close section (12 or 15),connected to said distal end of said handle section so as to be operable by said actuator.

Lake does not teach a tool-receiving socket including a connection structure for connection with a tool inserted in said socket. McCalla teaches a device with tools on both ends, the handle side having a socket connection to a tool in order to make the device more useful. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Lake by the general teaching of McCalla

Art Unit: 3652

to have tools on both ends, the handle side having a socket connection to a tool in order to make the device more useful.

Re claim 2, Lake teaches an extension section 10b disposed between said open-and-close section and said distal end of said handle to thereby connect said open-and-close section to said handle section.

Re claims 3, 14, Lake as well as Lake as already modified teaches a gripping section 12, 21.

Re claim 4, Lake teaches said connection structure comprises one that is both electrically and mechanically connective.

Re claim 5, Lake as already modified teaches a rechargeable power supply (McCalla column 5, lines 48-58, rechargeable power supplies connected to the connection structure are known).

Re claim 10, Lake teaches (column 3, lines 10-11) the device attaching to a mounting post (not numbered). Lake does not state the shape of the post but since the device 19 will mount to any shape cross-section it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Lake to have the mount be the same cross-sectional shape as the socket in order to use a known shape.

Re claim 11, Lake as already modified teaches a removable flashlight tool having a cross sectional shape complementary to that of said socket for removably mounting said flashlight tool to said extender arm.

Art Unit: 3652

Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lake (US 4,726,263) in view of McCalla (US 6,419,371) and further in view of McConnell (US 6,390,427).

Re claim 6, Lake does not teach an ancillary device. McConnell teaches an ancillary device 10, 18 that may be disposed on any elongated structure in order to increase safety (column 1, line 15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Lake by McConnell to have an ancillary device that may be disposed on any elongated structure in order to increase safety.

Re claims 7,8, Lake as already modified teaches a cellular phone holding clip and coin holding structure (McConnell, column 3, lines 58-60).

Claim 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lake (US 4,726,263) in view of McCalla (US 6,419,371) and further in view of Kalidindi (US 5,823,592).

Re claim 9, Lake does not teach a said extension section being flexible so as to allow said gripping section to be disposed at an angle relative to said handle section. Kalidindi teaches a flexible extension section 18 in order to make it easier to reach places. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Lake by the general teaching of Kalidindi to have a flexible extension section in order to make it easier to reach places.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lake (US 4,726,263) in view of McCalla (US 6,419,371) and further in view of Miller (US 5,685,586).

Re claim 12, Lake teaches removable tools but does not teach an ice scraper. Miller teaches devices that like that of Lake is intended to be used in an automobile. Miller teaches having an ice scraper on the opposite end of the device from the grab in order to increase usefulness in cold climates (column 2, lines 34-35).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lake (US 4,726,263) in view of McCalla (US 6,419,371) and further in view of Burns (US 5,116,093).

Re claims 13, Lake does not teach a resealable pouch for holding tools mountable within said socket. Burns teaches a resealable pouch 11 for carrying all the components of an extender arm in order to make it easier to transport. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Lake by the general teaching of Burns to have a resealable pouch for carrying all the components of an extender arm in order to make it easier to transport.

Conclusion

Applicant's arguments filed 5/9/05 have been fully considered but they are not persuasive.

Applicant argued against the requirement for a fully assembled figure of non-block figures. However "any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing (MPEP § 608.02(d))". The drawing must show the non-block figure assembly in order for a proper understanding of the disclosed invention.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the various references to how the specification discusses the operation of the open and close section or gripping section, etc.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Lake teaches an open and close section 12,15,21 that meets the actual claim limitations. Sections 12,15 and 21 have a section for gripping and open and close (telescope). Furthermore Lake as modified by McCalla also teaches a gripper.

Applicant argues that McCalla does not teach a rechargeable power supply. However, column 5, line 49 shows that McCalla does teach a rechargeable power supply as it is a well-known power source.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Scott Lowe whose telephone number is (571) 272-6929. The examiner can normally be reached on 6:30am-4:30pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (571) 272-6607. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/626,529

Page 8

Art Unit: 3652

msl

 7/18/05
DEAN J. KRAMER
PRIMARY EXAMINER